

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

<b>JAMES W. RILEY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>Civil Action No. 06-001-GMS</b>
<b>STANLEY TAYLOR, THOMAS</b>	)	
<b>CARROLL, DAVID PIERCE, AMY</b>	)	<b>Jury Trial Demanded</b>
<b>MUNSON, MEDICAL ASSISTANT</b>	)	
<b>MALANEY, CORRECTIONAL</b>	)	
<b>MEDICAL SYSTEMS, FIRST</b>	)	
<b>CORRECTIONAL MEDICAL,</b>	)	
	)	
<b>Defendants.</b>	)	

**REQUEST FOR ADMISSIONS OF DEFENDANTS, CORRECTIONAL MEDICAL  
SERVICES, INC, AND CHRISTINE MALANEY, WITH SUPPLEMENTAL  
INTERROGATORY DIRECTED TO PLAINTIFF**

Pursuant to the provisions and requirements of Federal Civil Rule of Civil Procedure 36, which require a formal written response from the plaintiff served upon counsel for defendants, Correctional Medical Services, Inc. and Christine Malaney, within thirty (30) days, defendants, Correctional Medical Services, Inc. and Christine Malaney, request plaintiff to admit the following:

1. Defendant, Correctional Medical Services, Inc., was not deliberately indifferent to any serious medical need as alleged in plaintiff's Complaints and Amended Complaints.
2. Defendant, Christine Malaney, was not deliberately indifferent to any serious medical need as alleged in plaintiff's Complaints and Amended Complaints.
3. Plaintiff has no records or lay or expert testimony or any other evidentiary support for plaintiff's claim that defendant, Correctional Medical Services, Inc., was deliberately

indifferent to any serious medical need as alleged in plaintiff's Complaints and Amended Complaints.

4. Plaintiff has no records or lay or expert testimony or any other evidentiary support for plaintiff's claim that defendant, Christine Malaney, was deliberately indifferent to any serious medical need as alleged in plaintiff's Complaints and Amended Complaints.

5. Plaintiff has no records or lay or expert testimony or any other evidentiary support to establish that any conduct on the part of defendant, Correctional Medical Services, Inc., violated plaintiff's civil rights.

6. Plaintiff has no records or lay or expert testimony or any other evidentiary support to establish that any conduct on the part of defendant, Christine Malaney, violated plaintiff's civil rights.

7. Neither plaintiff's Complaints and Amended Complaints nor the medical records support a claim for medical negligence against defendant, Correctional Medical Services, Inc.

8. Neither plaintiff's Complaints and Amended Complaints nor the medical records support a claim for medical negligence against defendant, Christine Malaney.

9. None of the health conditions alleged by plaintiff in his Complaints and Amended Complaints constitute a serious medical need.

10. Plaintiff has not exhausted administrative remedies available to him for each of the health conditions alleged by plaintiff in his Complaints and Amended Complaints.

#### **SUPPLEMENTAL INTERROGATORY**

1. If your answer to any of the foregoing requests is other than an admission, state the factual basis for your failure to admit, and state further:

(a) The identity and address of each and every witness who will testify in support of your allegation; and

(b) The identity of each and every document, record, report, memorandum, correspondence, e-mail, notation, telephone memorandum, e-mail, photograph and any and all other writings which in any way support the said allegation.

ANSWER:

MARSHALL, DENNEHEY, WARNER,  
COLEMAN & GOGGIN

BY: /s/ Kevin J. Connors  
Kevin J. Connors, Esquire – I.D. # 2135  
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Medical Services, Inc., and Christine  
Malaney

**DATED: October 30, 2007**